

Message Text

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15

ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

NSAE-00 SIL-01 FEA-01 ERDA-05 AID-05 CEA-01 CIEP-01

DODE-00 FPC-01 H-02 INT-05 L-03 NSC-05 OMB-01 PM-04

USIA-06 SAM-01 OES-03 SP-02 SS-15 STR-04 TRSE-00 PA-01

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FM AMEMBASSY KUWAIT

TO SECSTATE WASHDC 3494

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E.O. 11652: N/A

TAGS: ELAB, ENRG, KU

SUBJECT: CONCO STRIKE

1. ON AUGUST 9, WORKERS OF THE CONCO CONTRACTING COMPANY (A LEBANON-BASED LABOR CONTRACTING FIRM) WORKING AT THE KUWAIT NATIONAL PETROLEUM COMPANY WENT ON STRIKE. THIS ACTION FOLLOWED A WEEK OF DEMANDS MADE ON KNPC FOR EQUAL TREATMENT OF CONTRACT LABORERS IN THE FIELDS OF SALARY, MEDICAL CARE AND COMPENSATION FOR INJURY, PAID LEAVE DAYS (INCLUDING FRIDAY), AND TRANSPORTATION. CONCO WORKERS RECEIVED VERBAL SUPPORT FROM THE KUWAIT GENERAL TRADE UNION AND THE KUWAIT PETROLEUM AND PETROCHEMICAL WORKERS UNION, AS WELL AS FROM THE UNION OF KNPC WORKERS, WHICH ISSUED A STATEMENT CHARGING THE CONDITIONS UNDER WHICH CONCO WORKERS WERE OPERATING WERE IN VIOLATION OF ARTICLE 15 OF LABOUR LAW NO. 38/1964, "CONCERNING LABOUR IN THE PRIVATE SECTOR." TEXT OF ARTICLE 15 FOLLOWS.

2. QUOTE: IF AN EMPLOYER CHARGES ANOTHER TO PERFORM THE WHOLE
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OR PART OF ANY WORK, THE LATTER SHOULD MAINTAIN EQUAL TREATMENT

BETWEEN HIS WORKERS AND THOSE OF THE EMPLOYER IN RESPECT TO ALL THEIR RIGHTS. THE FORMER EMPLOYER SHALL BE JOINTLY RESPONSIBLE FOR THE LATTER WITHIN THE LIMITS OF MONEY DUE TO THE LATTER EMPLOYER FROM THE FORMER EMPLOYER. TO ENFORCE THE PROVISIONS OF THIS ARTICLE, THE FOLLOWING TERMS MUST BE PROVIDED: (1) THE TASK SHOULD BE ONE OF THE ORIGINAL WORKS OF THE EMPLOYER. (2) THE TASK SHOULD BE IN THE ORIGINAL AREA OF OPERATIONS OF THE EMPLOYER. END OF QUOTE.

3. IN RETALIATION, CONCO DISMISSED 29 OF ITS WORKERS FOR TAKING PART IN THE STRIKE ON THE 10TH, BUT ON THE FOLLOWING DAY, THE MINISTRY OF SOCIAL AFFAIRS AND LABOR, UNDER SHEIKH SALEM AL-SABAH AL-SALEM, INTERVENED BY PROMISING "TO REALIZE THEIR LEGITIMATE DEMANDS" AND TO IMPLEMENT ARTICLE 15. IN RETURN, THE CONCO WORKERS SUSPENDED THEIR STRIKE TO SHOW THEIR GOOD INTENTIONS "AND NOT TO IMPAIR THEIR LEGAL RIGHTS." THE KNPC LABOR UNION ANNOUNCED THAT DIRECT NEGOTIATIONS WERE TO BEGIN ON AUGUST 12TH BETWEEN THE COMPANY (KNPC) AND REPRESENTATIVES OF THE GENERAL TRADE UNION, THE PETROLEUM AND PETROCHEMICAL WORKERS UNION, AND THE KNPC UNION, UNDER THE SUPERVISION OF THE MINISTRY OF SOCIAL AFFAIRS AND LABOR.

4. COMMENT: THERE ARE SOME INDICATIONS THAT PROBLEMS CONNECTED WITH CONTRACT LABOR COULD MULTIPLY IN THE FUTURE. AL-TALEE'A, A LEFT-WING UNION NEWSPAPER, COMMENTED DURING THE STRIKE THAT THE PLIGHT OF CONTRACT LABOR THROUGHOUT THE INDUSTRIAL SECTOR IS SIMILAR TO THAT OF THE CONCO WORKERS, AND THAT THE FAILURE TO IMPLEMENT ARTICLE 15 IS WIDESPREAD. ALSO, IN CONVERSATION HELD WHILE STRIKE WAS GOING ON, OFFICIAL AT MINISTRY OF SOCIAL AFFAIRS AND LABOR EXPRESSED TO EMBOFF DESIRE TO TAKE MANAGEMENT OF CONTRACT LABOR INTO "DIRECT" (I.E. GOVERNMENT HANDS. STOLTZFUS

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